

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10299-RGS

NEW ENGLAND
WATERPROOFING, INC.,

Plaintiff

v.

DAVID DALESSANDRI,

Defendant

**JOINT MOTION TO MODIFY
SCHEDULING ORDER**

NOW COME the parties, by and through counsel, and jointly move for a
modification of the scheduling order to extend certain deadlines by a period of 90 days.

In support of this Motion, the parties state as follows:

1. The Court entered an order on June 10, 2004, setting the following
deadlines:

Completion of fact discovery 1/31/05

Dispositive motions 2/28/05

Expert designation 2/28/05

2. The parties have agreed that additional fact discovery is necessary, and
request the following changes to the above schedule:

Completion of fact discovery 4/30/05

Dispositive motions 5/31/05

Expert designations 5/31/05

Designation of rebuttal experts 6/30/05

WHEREFORE, the parties request that the Court enter an order establishing the deadlines set forth in paragraph 2 above, or for such other or further relief as the Court may deem just or appropriate.

DATED this 31st day of January, 2005.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent, via U.S. mail, postage prepaid, this 31st day of January, 2005, to:

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/s/ Paul R. Johnson